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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,088	03/25/2004	Alexander Torone	003797.00733	7665
28319	7590	12/15/2006	EXAMINER MEMULA, SURESH	
BANNER & WITCOFF LTD., ATTORNEYS FOR CLIENT NOS. 003797 & 013797 1001 G STREET , N.W. SUITE 1100 WASHINGTON, DC 20001-4597			ART UNIT 2825	PAPER NUMBER

DATE MAILED: 12/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/809,088	TORONE ET AL.
	Examiner	Art Unit
	Suresh Memula	2825

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 03 October 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213..

Disposition of Claims

- 4) Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-18 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 26 March 2004 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This FINAL office action is a response to the amendments and remarks filed on 10/03/2006. The remarks are not persuasive; therefore, the rejections based on the prior art of record US Pub. No. 2004/0193703 to Loewy et al. is maintained. Claims 1-18 are pending.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-18 are rejected under 35 U.S.C. 102(e)** as being anticipated by US Pub. No. 2004/0193703 to Loewy et al. (Loewy).

3. As to Claim 1, and similarly recited Claims 13 and 18,

(a) modeling the hosting environment {Abstract: "...distributed, multi-user environments...distributed architecture...", Paragraph 0006: "...distributed architecture..."; Paragraph 0042: "Interface document types as described herein may refer to types of documents used or created with various...integrated development environments...users (e.g. developers, system architects, editors, managers, end users etc.) may use a variety of interface document types to design or otherwise use interface documents in a distributed environment", e.g., by designing interface documents, i.e., application, which must be in conformance with the hosting environment (Paragraph 0048), the hosting environment is modeled; Paragraph 0045: "...policy makers...define configure and assign policies...", i.e., by defining and configuring policies the host environment and application are modeled; Paragraph 0048: "...report results of the comparison, and/or may enable management or governance of the policies across the SOA", i.e., the Service Oriented Architecture (see Paragraph 0047) is modeled;

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Paragraph 0116: "The user may add or update project parameters such as project name, development environment, operating systems, budget, project scope, platforms, descriptions, etc."} such that the hosting environment model includes configurable hosting environment settings and constraints placed on the application model {Abstract: "Enterprise policies may be defined and configured"; Paragraph 0008: "...defining a policy element; providing configuration parameters for the policy element; and providing a policy definition that includes one or more policy elements"; Paragraph 0045: "...policy makers...define configure and assign policies..."; Paragraph 0049: "A policy typically describes rules...A policy may include procedures for implementing those rules..."; Paragraph 0085: "data modeling rules"; Paragraph 0098: "data modeling policy"; Paragraph 0116: "The user may add or update project parameters such as project name, development environment, operating systems, budget, project scope, platforms, descriptions, etc."};

(b) modeling the application {Paragraph 0042: "Interface documents as described herein may refer to...applications...that may by created, developed, designed, or otherwise used by users in a distributed environment"} such that the application model includes application settings and constraints placed on the hosting environment {Paragraph 0016: "...assigning a policy to the interface document types..."; Paragraph 0045: "A policy element or conformance rule may be a rule or comparison that may be applied to one or more interface documents..."; Paragraph 0097: "A policy element may, for example, define a specific requirement or recommendation, such as a rule that may be enforceable in system 50"}; and

(c) validating the design of the system by comparing the hosting environment model to the application model {Paragraph 0002: "...provide conformance and/or governance in, for example, a distributed architecture"; Paragraph 0048: "At block 23 system server 54 may compare the received interface document to the pre-defined enterprise policies, to determine the interface document's conformance with the policies"; Paragraph 0051: "...interface documents may be configured to be tested for conformance for that particular policy element"; Paragraph 0056: "...typically detailed conformance test results (13), including whether certain policy elements or conformance

rules test ‘passed’ or ‘failed’ ”; Paragraph 0073: “...checking validity of information and providing exceptions back to the User Interface Engine 201 when relevant”; Paragraph 0118: “‘System Conformance Process’ ”}.

As to Claim 2, wherein the constraints include configuration parameters (Paragraphs 0051, 0099).

4. As to Claim 3, and similarly recited Claim 14, analyzing application settings to determine whether the settings satisfy the hosting environment constraints (Paragraph 0048, and FIG. 2-3).

5. As to Claim 4, and similarly recited Claim 15, analyzing hosting environment settings to determine whether the settings satisfy the application constraints (Paragraph 0011, and FIG. 2-3).

6. As to Claim 5, and similarly recited Claim 16, wherein the hosting environment comprises a distributed computing system (Abstract, Paragraph 0006, and FIG. 4).

7. As to Claim 6, wherein the hosting environment comprises a plurality of server computers (Abstract, Paragraph 0047, and FIG. 1 and 3-4).

8. As to Claim 7, wherein the hosting environment comprises a logical computer workstation (Paragraph 0047).

9. As to Claim 8, displaying on a display device a list of constraint conditions that are not satisfied (Paragraphs 0052, 0056, and FIG. 4).

10. As to Claim 9, displaying a link in the list of constraint conditions that are not satisfied that links a condition in the list to a diagram that illustrates the condition (Paragraphs 0076, 0123, and 0141).

11. As to Claim 10, displaying on a display device an error icon when a constraint is not satisfied (Paragraphs 0053 and 0224).

12. As to Claim 11, wherein (a) comprises creating a system definition model document (Paragraphs 0065, 0092, 0109, and FIG. 2-3, 6, and 8-9).

13. As to Claim 12, wherein (b) comprises creating a system definition model document (Paragraphs 0065, 0096, 0109, and FIG. 2-3, 6, and 8-9).

14. As to Claim 17,

a) displaying application elements in a first region of a user interface (FIG. 22);

- (b) displaying hosting environment elements in a second region of the user interface (FIG. 22);
- (c) in response to a command from a user (Paragraph 0221 and FIG. 22) moving elements from the first region to locations in the second region to bind application elements to hosting environment elements (FIG. 2-3, and 5-7);
- (d) validating the design by analyzing application and hosting environment settings to determine whether the settings satisfy hosting environment and application constraints, respectively {Paragraph 0002: "...provide conformance and/or governance in, for example, a distributed architecture"; Paragraph 0048: "At block 23 system server 54 may compare the received interface document to the pre-defined enterprise policies, to determine the interface document's conformance with the policies"; Paragraph 0051: "...interface documents may be configured to be tested for conformance for that particular policy element"; Paragraph 0056: "...typically detailed conformance test results (13), including whether certain policy elements or conformance rules test 'passed' or 'failed' "; Paragraph 0073: "...checking validity of information and providing exceptions back to the User Interface Engine 201 when relevant"; Paragraph 0118: "System Conformance Process' "}; and
- (e) displaying validation errors in a third region of the user interface {Paragraph 0053: "...an alert message may be sent to a user informing him/her of, e.g., an interface document that does not conform to a policy; FIG. 23}.

Response to Applicant Remarks

15. The applicants state, "the "policies" of Loewy are not equivalent to (nor do they suggest) the "settings and constraints" as recited in the rejected claims".
16. Examiner's Argument
17. Loewy's "policies" are used to assign settings and constraints (Paragraph 0008, 0045, 0049, 0085, 0098, 0116) to the distributed architecture, i.e., hosting environment model, and application model (Paragraphs 0016, 0042, 0045, 0097). The application model's policies (Paragraphs 0016, 0042, 0045, 0097) are compared with the policies of the distributed architecture (Paragraphs 0002, 0048, 0051, 0056, 0073), i.e., hosting

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environment, to determine conformance (Paragraphs 0002, 0048, 0051, 0056, 0073), i.e., validation of the system.

18. By way of defining, configuring, adding, updating, modeling, and assigning policies (Abstract; Paragraphs 0045, 0085, 0098, 0116); modeling (Abstract; Paragraphs 0042, 0045, 0047-0048, 0085, 0098, 0116) of the system comprising distributed architecture (Abstract; Paragraphs 0006, 0042, 0045, 0047-0048, 0116), i.e., hosting environment model, and application model (Paragraph 0042) is performed.

Conclusion

19. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

20. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Suresh Memula whose telephone number is (571) 272-8046. The examiner can normally be reached on M-F 8am-4:30pm EST. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Chiang can be reached on (571) 272-7483. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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22. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Suresh Memula
Art Unit 2825
December 7, 2006


JACK CHIANG
SUPERVISORY PATENT EXAMINER